

105TH CONGRESS
2D SESSION

H. R. 4228

To amend title XVIII of the Social Security Act to provide an election for Medicare+Choice organizations to exclude payment for the provision of abortion services under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 1998

Mr. NUSSLE introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to provide an election for Medicare+Choice organizations to exclude payment for the provision of abortion services under the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CLARIFICATION ON REQUIRED COVERED SERV-**
4 **ICES FURNISHED BY MEDICARE+CHOICE OR-**
5 **GANIZATIONS.**

6 (a) IN GENERAL.—Section 1852(a) of the Social Se-
7 curity Act (42 U.S.C. 1395w–22(a)) is amended—

1 (1) in paragraph (1), by inserting “and except
2 as provided in paragraph (6)” after “MSA plans”;
3 and

4 (2) by adding at the end the following new
5 paragraph:

6 “(6) ELECTION.—

7 “(A) IN GENERAL.—A Medicare+Choice
8 organization may elect to exclude abortion serv-
9 ices from the services which it is otherwise re-
10 quired to provide under section 1852(a)(1).

11 “(B) EFFECT OF ELECTION.—In the case
12 of an election under subparagraph (A)—

13 “(i) the Secretary shall make such an
14 adjustment in the payment made to the or-
15 ganization under section 1853(a)(1)(A) to
16 reflect the actuarial value of services so ex-
17 cluded; and

18 “(ii) a member enrolled under this
19 part is entitled to benefits for such abor-
20 tion services under parts A and B as if the
21 member were not enrolled with a
22 Medicare+Choice plan under this part.”.

23 (b) CONFORMING AMENDMENTS.—(1) Section
24 1851(i)(1) of such Act (42 U.S.C. 1395w-21(i)(1)) is
25 amended by inserting “1852(a)(6),” after “1852(a)(5),”.

1 (2) Section 1853(a)(1)(A) of such Act (42 U.S.C.
2 1395w-23(a)(1)(A)) is amended by inserting “for an or-
3 ganization’s election under section 1852(a)(6),” before
4 “and such other factors as the Secretary determines to
5 be appropriate,”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall apply as if included in the enactment
8 of the Balanced Budget Act of 1997.

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